

Order

**Michigan Supreme Court
Lansing, Michigan**

May 29, 2015

Robert P. Young, Jr.,
Chief Justice

150327
150396

Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein,
Justices

SHERYL L. SPIGNER,
Plaintiff-Appellee,

v

SC: 150327
COA: 315616
Macomb CC: 2011-002037-NO

YARMOUTH COMMONS ASSOCIATION and
KRAMER-TRIAD MANAGEMENT GROUP,
LLC,

Third-Party Plaintiffs,
Defendants,

and

W & D LANDSCAPING & SNOW
PLOWING, INC.,
Third-Party Defendant-Appellant.

SHERYL L. SPIGNER,
Plaintiff-Appellee,

v

SC: 150396
COA: 315616
Macomb CC: 2011-002037-NO

YARMOUTH COMMONS ASSOCIATION and
KRAMER-TRIAD MANAGEMENT GROUP,
LLC,

Third-Party Plaintiffs,
Defendants-Appellants,

and

W & D LANDSCAPING & SNOW
PLOWING, INC.,
Third-Party Defendant-Appellee.

On order of the Court, the applications for leave to appeal the September 30, 2014 judgment of the Court of Appeals are considered. We direct the Clerk to schedule oral argument on whether to grant the applications or take other action. MCR 7.302(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing whether the Court of Appeals erred in interpreting *Hoffner v Lanctoe*, 492 Mich 450 (2012), when it held that the open and obvious doctrine does not preclude the plaintiff's premises liability claim. The parties should not submit mere restatements of their application papers.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 29, 2015

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk